

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JEANE HEEKYUNG NOH,

Plaintiff,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Case No. C24-2086-TL

ORDER TO SHOW CAUSE

Plaintiff filed an application to proceed *in forma pauperis* (“IFP”) in the above-entitled action. (Dkt. # 1.) In the IFP application, Plaintiff reports she received \$17,633.00 in the last twelve months, has no cash on hand, but has \$3,900.00 in a checking account and \$23,000.00 in savings, and has monthly expenses of \$1,150.00. (*Id.* at 1-2.) Plaintiff provides no additional information to explain why she cannot pay court fees and costs. (*See id.* at 2.)

The district court may permit indigent litigants to proceed IFP upon completion of a proper affidavit of indigence. *See* 28 U.S.C. § 1915(a). “To qualify for *in forma pauperis* status, a civil litigant must demonstrate both that the litigant is unable to pay court fees and that the claims he or she seeks to pursue are not frivolous.” *Ogunsalu v. Nair*, 117 F. App’x 522, 523 (9th Cir. 2004), *cert. denied*, 544 U.S. 1051 (2005). To meet the first prong of this test, a litigant

1 must show that he or she “cannot because of his [or her] poverty pay or give security for the
2 costs and still be able to provide him[or her]self and dependents with the necessities of life.”
3 *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948) (internal alterations
4 omitted).

5 Plaintiff’s application omits information necessary for the Court to determine her ability
6 to pay court fees and costs. Plaintiff does not explain why she cannot use some of her savings to
7 pay the filing fee of \$405.00. (Dkt. # 1 at 2.) Under these circumstances, Plaintiff should not be
8 authorized to proceed IFP.

9 Accordingly, Plaintiff is ORDERED to show cause by **December 27, 2024**, why the
10 Court should not recommend her IFP application be denied. Alternatively, Plaintiff may submit
11 an amended IFP application by that date, explaining her circumstances more fully. The Clerk is
12 directed to renote Plaintiff’s IFP application (dkt. # 1) for December 27, 2024, and to send copies
13 of this order to Plaintiff and to the Honorable Tana Lin.

14 Dated this 19th day of December, 2024.

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16 MICHELLE L. PETERSON
17 United States Magistrate Judge
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